

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

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MALIBU MEDIA, LLC,	:	
	:	
Plaintiff,	:	Civil Action No. 2:14-cv-01280-SD
	:	
vs.	:	
	:	
JOHN DOE subscriber assigned IP address	:	
69.249.253.94,	:	
	:	
Defendant.	:	
-----X		

**PLAINTIFF’S MOTION FOR LEAVE TO FILE ITS MOTION FOR SUMMARY  
JUDGMENT UNDER SEAL, OR IN THE ALTERNATIVE, TO LIFT THE ORDER  
ALLOWING DEFENDANT TO PROCEED ANONYMOUSLY**

Plaintiff, Malibu Media, LLC (“Plaintiff”), pursuant to L.R. 5.1.5, hereby moves for an entry of an order granting it leave to file its Motion for Summary Judgment (the “Motion”) under seal, or in the alternative, to lift the order allowing Defendant to proceed anonymously and in support states:

1. On May 19, 2014, this Court granted Defendant’s Motion to Proceed Anonymously, stating, “[t]he defendant also moves to proceed anonymously, and as Malibu Media does not oppose this motion, we will therefore grant it, for the time being[.]” [CM/ECF 9], at p. 1-2 (citations omitted).

2. Plaintiff’s Motion for Summary Judgment relies on detailed evidence that connects Defendant to the infringement.

3. Much of this evidence reveals the Defendant’s name or contains other information that identifies the Defendant.

4. For example, Plaintiff's expert, Patrick Paige, provides a nearly 200 page expert report that lists hundreds of detailed computer file names, many of which contain the names of Defendant or Defendant's family members.

5. The Motion relies on other detailed evidence, such as Defendant's deposition and discovery responses.

6. This evidence also contains information that identifies Defendant or his family members by revealing their names, occupation, educational background, hobbies, television preferences, etc.

7. Such identifying information is crucial to Plaintiff's Motion because it connects Defendant to the infringement.

8. Good cause exists to grant this motion.

WHEREFORE, Plaintiff respectfully requests this Court permit Plaintiff to file its Motion for Summary Judgment under seal; or in the alternative, lift the order allowing Defendant to proceed anonymously. A proposed order is attached for the Court's convenience.

Dated: January 15, 2014

Respectfully submitted,

FIORE & BARBER, LLC

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 15, 2014, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

**SERVICE LIST**

John Doe Subscriber Assigned IP Address 69.249.253.94

*Pro se*

By: /s/ Christopher P. Fiore